

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION	No. 2:12-md-02323-AB MDL No. 2323 Hon. Anita B. Brody
Kevin Turner and Shawn Wooden, <i>on behalf of themselves and others similarly situated</i> , Plaintiffs, v. National Football League and NFL Properties LLC, successor-in-interest to NFL Properties, Inc., Defendants.	Civ. Action No. 14-00029-AB
THIS DOCUMENT RELATES TO: ALL ACTIONS	

**DECLARATION OF ANOUSH HAKIMI IN SUPPORT OF
NOTICE OF JOINDER OF MOTIONS TO DETERMINE PROPER
ADMINISTRATION OF CLAIMS UNDER
THE SETTLEMENT AGREEMENT**

ANOUSH HAKIMI declares, pursuant to 28 U.S.C. § 1746, based upon his personal knowledge, information and belief, the following:

1. I am a partner at The Law Office of Hakimi & Shahriari. I am fully familiar with the matters set forth herein, including the procedural history of this litigation and the class-wide settlement that this Court approved (the "Settlement"). These statements are based upon my personal

knowledge. I submit this Declaration in support of Joinder of Motions to Determine Proper Administration of Claims under the Settlement Agreement.

2. I have personal knowledge of several dozen separate incidents that BrownGreer PLC (“BrownGreer”) has failed to meet notice and action deadlines set forth in the Settlement Agreement with respect to our clients.

3. On June 29, 2017, BrownGreer posted a Notice of Claim Package Deficiency to the BrownGreer Settlement portal as Document ID No. 84503, with respect to Settlement Program ID No. 100014954. A true and correct copy of such deficiency notice, redacted to protect the privacy of the Class Member, is attached hereto as Exhibit A (“Notice of Preliminary Review”).

4. On July 7, 2017, I logged in to the BrownGreer Settlement portal and noticed that the Claim Package Status with respect to Settlement Program ID No. 100014954 was “Assigned to AAP”. A screenshot of the BrownGreer Settlement portal taken on July 7, 2017 reflecting that Settlement Program ID No. 100014954 was “Assigned to AAP” as of that date is attached hereto as Exhibit A-1.

5. On August 14, 2017, I personally cured the purported “deficiencies” set forth in the Notice of Preliminary Review by submitting Document ID Nos. 112492, 112493, 112495 and 112497.

6. On September 5, 2017, BrownGreer posted a Notice of Claim Package Deficiency to the BrownGreer Settlement portal as Document ID No. 123081, with respect to Settlement Program ID No. 100014954. A true and correct copy of such deficiency notice, redacted to protect the personal information of the Class Member, is attached hereto as Exhibit A-2.

7. On September 14, 2017 I logged in to the BrownGreer Settlement portal and made a screenshot of the documents submitted with the Claim Package with respect to Settlement Program ID No. 100014954. The screenshot reflects that a neurological evaluation was delivered to

BrownGreer on April 21, 2017 as Document ID No. 61627, and that “medical records” were delivered to BrownGreer on August 14, 2017 as Document ID No. 112497. I personally delivered the medical records to the BrownGreer Settlement portal on August 14, 2017, which included, among other medical documents, the complete neurological evaluation, which was also previously delivered to the BrownGreer Settlement portal on April 21, 2017. A screenshot of the official BrownGreer Settlement portal taken on September 14, 2017 reflecting that the neurological evaluation was delivered to BrownGreer on April 21, 2017 and August 14, 2017 is attached hereto as Exhibit A-3.

8. On September 5, 2017, BrownGreer posted a Notice of Claim Package Deficiency to the BrownGreer Settlement portal as Document ID No. 123047, with respect to Settlement Program ID No. 100005676. A true and correct copy of such deficiency notice, redacted to protect the personal information of the Class Member, is attached hereto as Exhibit B.

9. On September 15, 2017 I logged in to the BrownGreer Settlement portal and made a screenshot of the documents submitted with the Claim Package with respect to Settlement Program ID No. 10005676. The screenshot reflects that the neuropsychological evaluation that was withheld by BrownGreer from the Appeals Advisory Panel was delivered to BrownGreer on April 21, 2017 as Document ID No. 61548. I personally delivered the aforementioned neuropsychological evaluation to the BrownGreer Settlement portal on April 21, 2017. A screenshot of the official BrownGreer Settlement portal taken on September 15, 2017 reflecting that the neuropsychological evaluation was delivered to BrownGreer on April 21, 2017 is attached hereto as Exhibit B-1.

10. On September 1, 2017, BrownGreer posted a Notice of Claim Package Deficiency to the BrownGreer Settlement portal as Document ID No. 122953, with respect to Settlement Program

ID No. 100002552. A true and correct copy of such deficiency notice, redacted to protect the personal information of the Class Member, is attached hereto as Exhibit C.

11. On September 15, 2017 I logged in to the BrownGreer Settlement portal and made a screenshot of the documents submitted with the Claim Package with respect to Settlement Program ID No. 100002552. The screenshot reflects that the neuropsychological evaluation that was withheld by BrownGreer from the Appeals Advisory Panel was delivered to BrownGreer on April 27, 2017 as Document ID No. 63638. I personally delivered the aforementioned neuropsychological evaluation to the BrownGreer Settlement portal on April 27, 2017. A screenshot of the official BrownGreer Settlement portal taken on September 15, 2017 reflecting that the neuropsychological evaluation was delivered to BrownGreer on April 27, 2017 is attached hereto as Exhibit C-1.

12. I have personally reviewed over thirty (30) deficiency notices, which either fail to clearly state the deficiencies, or fail to provide a cure recommendation, or are otherwise misleading, incomplete or ambiguous.

13. I have personal knowledge of the confusion and frustration of many other attorneys and law firms representing Class Members. These attorneys and law firms are confused and frustrated by the claims administration process in general, and specifically as to how to properly address the matters raised in the deficiency notices.

14. On June 30, 2017, I sent an email to Jason Russell of BrownGreer with specific and detailed inquiries regarding deficiency notices and timelines for Pre-Effective Date Claims. On July 3, 2017, Jason Russell responded, copied Nicole Priest of BrownGreer and indicated that Nicole Priest would respond to the inquiries set forth in my June 30, 2017 email. On July 5, 2017, Nicole

Priest responded to this email chain with responses to the inquiries set forth in my June 30, 2017 email. A true and correct copy of this email chain is attached hereto as Exhibit D.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 20, 2017

s//Anoush Hakimi//
Anoush Hakimi, Esq.

EXHIBIT A



CONCUSSION SETTLEMENT

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.)

NOTICE OF CLAIM PACKAGE DEFICIENCY

DATE OF NOTICE: June 29, 2017

CURE DEADLINE: October 27, 2017

I. SETTLEMENT CLASS MEMBER INFORMATION

Settlement Program ID	100014954		
Name:	First REDACTED	M.I. 	Last REDACTED
Settlement Class Member Type	Retired NFL Football Player		
Primary Counsel	Top NFL Lawyers		

II. EXPLANATION OF DEFICIENCY(IES)

This Notice is an official communication from the Claims Administrator for the NFL Concussion Settlement Program. Your Claim Package is missing certain documents or information. This Notice explains what is missing and what you may do to address the issue. We can help if you have questions. If you already have provided us with the missing information, let us know because we may have received it after doing the review that generated this Notice.

Exhibit A-1 to the Settlement Agreement requires that Qualifying Diagnoses of Level 1.5 and 2 Neurocognitive Impairment made outside of the Baseline Assessment Program ("BAP") be "generally consistent" with the BAP requirements for Level 1.5 and 2 Diagnoses. Your claim is for such a Diagnosis. Section 6.4 of the Settlement Agreement requires that the Appeals Advisory Panel ("AAP") review certain Qualifying Diagnoses made before the January 7, 2017 Effective Date, including your claim. Before we send your Claim Package to an AAP member, you may wish to make it as complete as possible. If your medical records are missing any element of the requirements in Exhibit A-1, we ask for that information below. However, if you prefer to have the AAP member review your Claim Package as submitted, you can let us know by following the instructions described in Section III of this Notice and we will send your Claim Package to the AAP member for review. The third column labeled "Required to Send Claim to AAP?" indicates whether you have to submit the requested information or document before we will send the Claim Package to the AAP member.

	What is Missing	How to Address this Item	Required to Send Claim to AAP?
--	------------------------	---------------------------------	---------------------------------------



<p>1. Your medical records indicate that the diagnosing physician did not consider documentary evidence of functional impairment for a Qualifying Diagnosis of Level 1.5 or 2 Neurocognitive Impairment. The Settlement Agreement requires that pre-Effective Date Qualifying Diagnoses of Level 1.5 or 2 Neurocognitive Impairment be based on evidence and evaluation generally consistent with Exhibit A-1, subsections 1(a)(iii) and 2(a)(iii). These sections contemplate that the Retired NFL Football Player's functional impairment be corroborated by documentary evidence, such as medical records or employment records from before the date of the Qualifying Diagnosis, the sufficiency of which will be determined by the physician making the Qualifying Diagnosis. If no such corroborating documentary evidence exists, the Settlement Agreement contemplates that functional impairment be corroborated by a sworn statement from a person familiar with the Retired NFL Football Player's condition (other than the player or his family members).</p>	<p>Click the Respond to Deficiency button, go to Section 3 for Medical Records, click on the Upload Medical Records button and follow the instructions to upload medical records reflecting the Qualifying Diagnosis that show that the diagnosing physician considered documentary evidence of functional impairment. Make sure you also submit that evidence with your response. If you need to submit a third-party sworn affidavit from a person familiar with the Retired NFL Football Player's condition, go to https://www.nflconcussionsettlement.com/Forms.aspx to download a copy of this affidavit.</p>	<p>No</p>
---	---	-----------

III. HOW TO RESPOND TO THIS NOTICE

For any items shown in Section II with a Yes in the "Required to Send Claim to AAP?" column, you need to send us the information or documents to cure the issue on or before the Cure Deadline stated at the top of the Notice. If you have any items in Section II with a No, you may send us the requested information or documents, or elect instead to have the AAP member review the Claim Package without those materials. If you have both Yes and No items in Section II, you must respond to all Yes items before we will send the Claim Package to the AAP member, but you have the option whether to respond to any No items.

If you are submitting any new documents or information, you may do so using your secure online portal by clicking the Respond to Notice of Claim Package Deficiency button, which will take you to the Claim Package submission screens that you used to submit the claim to us. After you have finished supplementing your Claim Package or uploading new documents, click the Submit Claim Package for Review button at the bottom of the screen. We will review the Claim Package again using the new information or documents to see if it is ready to send to the AAP member for review.

If all items in Section II have a No in the "Required to Send Claim to AAP?" column and you want the AAP member to review your Claim Package as submitted without the additional materials, you can click the Send to AAP for Review button on your secure online portal and we will present your Claim Package to the assigned AAP member. The Send to AAP for Review button will not be available to you if there are any Yes items in Section II, which means you must supplement your Claim Package as described above to cure those items before we will send your Claim Package to the assigned AAP member.

You have 120 days to respond to this Notice and/or provide the missing information or documents. We will wait the full 120 days to re-review your Claim Package unless you (1) click the Submit Claim Package for Review button to confirm that you have finished responding, or (2) click the Send to AAP for Review button if it is available. If you do not take action on or before the Cure Deadline, we or the assigned AAP member will assess your Claim Package based on the materials you already provided.

IV. HOW TO CONTACT US WITH QUESTIONS OR FOR HELP



If you are represented by a lawyer, consult with your lawyer if you have questions or need assistance. If you are unrepresented and have any questions about this Notice or need help, contact us at 1-855-887-3485 or send an email to ClaimsAdministrator@NFLConcussionSettlement.com. If you are a lawyer, call or email your designated Firm Contact for assistance. For more information about the Settlement Program visit the official website at www.NFLConcussionSettlement.com to read the Frequently Asked Questions or download a copy of the complete Settlement Agreement.



EXHIBIT A-1

[Home](#) ▾[Information](#) ▾[Registration](#)[Claim Package](#)[Notices](#)[BAP](#)[MAF Physician List](#)[My Account](#) | [Log Off](#)

Claim Package Search

Search

Settlement Class Members can submit a Claim Package only if we have determined that they properly registered for the Settlement Program. Use the Specific Search option to find a client by entering the name (or partial name) in the First Name or Last Name fields. You also can search by entering the client's Settlement Program ID, Settlement Class Member Type, Date of Birth, and/or Taxpayer ID. Use the See Inventory option to see a list of all clients who are registered Settlement Class Members.

☐ Specific Search ☒ See Inventory

Search Results: **Page 1 of 20 (193 records)** 1 ▾

[Export To Excel](#)

<u>Settlement Program ID</u>	<u>SCM Name</u>	<u>SCM Type</u>	<u>DOB</u>	<u>Claim Package Status</u> 
100002552	REDACTED	Retired NFL Football Player	12/03/1979	Assigned to AAP
100014954	REDACTED	Retired NFL Football Player	12/27/1972	Assigned to AAP
100001680	REDACTED	Retired NFL Football Player	01/25/1971	Claim Package Not Started
100010354	REDACTED	Retired NFL Football Player	06/25/1961	Claim Package Not Started
100010669	REDACTED	Retired NFL Football Player	12/10/1975	Claim Package Not Started
100011218	REDACTED	Retired NFL Football Player	02/08/1968	Claim Package Not Started
100014581	REDACTED	Retired NFL Football Player	06/16/1969	Claim Package Not

EXHIBIT A-2

NFL**CONCUSSION SETTLEMENT**IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.)**NOTICE OF CLAIM PACKAGE DEFICIENCY****DATE OF NOTICE: September 5, 2017****CURE DEADLINE: January 3, 2018****I. SETTLEMENT CLASS MEMBER INFORMATION**

Settlement Program ID	100014954		
Name:	First REDACTED	M.I.	Last REDACTED
Settlement Class Member Type	Retired NFL Football Player		
Primary Counsel	Top NFL Lawyers		

II. EXPLANATION OF DEFICIENCY(IES)

This Notice is an official communication from the Claims Administrator for the NFL Concussion Settlement Program. Your Claim Package is missing documents or information required by Section 8.2(a) of the Settlement Agreement.

This Notice explains what is missing and what you may do to address the issue. We can help if you have questions. To cure the issues identified in this Notice, click the Respond to Notice of Claim Package Deficiency button on your secure online portal and follow the instructions provided to upload the information identified below. If you already have provided us with the missing information, let us know because we may have received it after conducting the review that generated this notice.

The following requires attention before we can act further:

	What is Missing	How to Address this Item
1.	The Appeals Advisory Panel reviewed your Qualifying Diagnosis and determined your Claim Package is missing these documents.	<p>Confounders for interpretation of neuropsychological test performance are present.</p> <p>He reported that he was very tired at the time of the exam, his sleep is poor in general, and he still drinks 2-3 times weekly, the amount not reported. It is not clear what OTC medications he may be using; if they are sleep aids, most of which contain diphenhydramine, a potent anticholinergic, his test performance could be affected. Standard neurological assessment, brain imaging, lab tests, and medical history are not given.</p> <p>All these issues raise the concern that poor sleep habits, possible sleep apnea, alcohol itself and its effect on sleep, possible use of OTC sleep aids, or other medical conditions could be present to explain his symptoms. If possible, it would be helpful to obtain any neurological assessments, lab tests, imaging, clarification of alcohol and OTC drug use.</p>

III. HOW TO RESPOND TO THIS NOTICE

By the Cure Deadline stated above, send us the missing information identified in Section II. If you do not respond in full on or before the Cure Deadline, we will have to assess your claim based on the materials we have, which could lead to a lower Monetary Award or denial of your claim in its entirety.



You have 120 days to respond to this Notice and provide the missing information. We will wait the full 120 days to re-review your claim, unless you click the Submit Claim Package for Review button to confirm that your response is complete and we may continue to review your claim.

Submit the requested information using your secure online portal to upload additional documents.

IV. HOW TO CONTACT US WITH QUESTIONS OR FOR HELP

If you are represented by a lawyer, consult with your lawyer if you have questions or need assistance. If you are unrepresented and have any questions about this Notice or need help, contact us at 1-855-887-3485 or send an email to ClaimsAdministrator@NFLConcussionSettlement.com. If you are a lawyer, call or email your designated Firm Contact for assistance. For more information about the Settlement program, visit the official website at www.NFLConcussionSettlement.com to read the Frequently Asked Questions or download a copy of the complete Settlement Agreement.



EXHIBIT A-3

[<< Back](#)

Claim Package Page

Settlement Class Member Information

Settlement Program ID: 100014954

Name: REDACTED

Address:

REDACTED

Claim Package Status: Claim Package Submitted

Settlement Class Member Type: Retired NFL Football Player

[View Documents](#)[Upload](#)

View Documents

Doc ID	Document Type	File Name	Create Date	
123081	Notice of Claim Package Deficiency	100014954_118620.pdf	09/05/2017	
112497	Medical Records	REDACTED - medical records_112497.pdf	08/14/2017	Remove
112495	Diagnosing Physician Certification Form	REDACTED - dpc_112495.pdf	08/14/2017	
112493	Claim Form	claimform_108824.pdf	08/14/2017	
112492	Signature Acknowledgement Form	REDACTED - signed signature ack_112492.pdf	08/14/2017	
84503	Notice of Preliminary Review for Level 1.5 and 2 Claims	100014954_82122.pdf	06/29/2017	
61630	Other	affidavit of REDACTED REDACTED in re 'REDACTED _61630.pdf	04/21/2017	Remove
61629	HIPAA Form	REDACTED - signed hipa a_61629.pdf	04/21/2017	
61628	Medical Records	REDACTED- neuropsychological evaluation_61628.pdf	04/21/2017	Remove
61627	Medical Records	REDACTED - neurological evaluation_61627.pdf	04/21/2017	Remove
61626	Diagnosing Physician Certification Form	REDACTED - diagnosing physician certification_61626.pdf	04/21/2017	

EXHIBIT B

NFL**CONCUSSION SETTLEMENT**IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.)**NOTICE OF CLAIM PACKAGE DEFICIENCY****DATE OF NOTICE: September 5, 2017****CURE DEADLINE: January 3, 2018****I. SETTLEMENT CLASS MEMBER INFORMATION**

Settlement Program ID	100005676		
Name:	First REDACTED	M.I.	Last REDACTED
Settlement Class Member Type	Retired NFL Football Player		
Primary Counsel	Top NFL Lawyers		

II. EXPLANATION OF DEFICIENCY(IES)

This Notice is an official communication from the Claims Administrator for the NFL Concussion Settlement Program. Your Claim Package is missing documents or information required by Section 8.2(a) of the Settlement Agreement.

This Notice explains what is missing and what you may do to address the issue. We can help if you have questions. To cure the issues identified in this Notice, click the Respond to Notice of Claim Package Deficiency button on your secure online portal and follow the instructions provided to upload the information identified below. If you already have provided us with the missing information, let us know because we may have received it after conducting the review that generated this notice.

The following requires attention before we can act further:

	What is Missing	How to Address this Item
1.	Your medical records indicate that the diagnosing physician did not consider documentary evidence of functional impairment for a Qualifying Diagnosis of Level 1.5 or 2 Neurocognitive Impairment. The Settlement Agreement requires that pre-Effective Date Qualifying Diagnoses of Level 1.5 or 2 Neurocognitive Impairment be based on evidence and evaluation generally consistent with Exhibit A-1, subsections 1(a)(iii) and 2(a)(iii). These sections contemplate that the Retired NFL Football Player's functional impairment be corroborated by documentary evidence, such as medical records or employment records from before the date of the Qualifying Diagnosis, the sufficiency of which will be determined by the physician making the Qualifying Diagnosis. If no such corroborating documentary evidence exists, the Settlement Agreement contemplates that functional impairment be corroborated by a sworn statement from a person familiar with the Retired NFL Football Player's condition (other than the player or his family members).	Click the Respond to Deficiency button, go to Section 3 for Medical Records, click on the Upload Medical Records button and follow the instructions to upload medical records reflecting the Qualifying Diagnosis that show that the diagnosing physician considered documentary evidence of functional impairment. Make sure you also submit that evidence with your response. If you need to submit a third-party sworn affidavit from a person familiar with the Retired NFL Football Player's condition, go to https://www.nflconcussionsettlement.com/Forms.aspx to download a copy of this affidavit.



2.

The Appeals Advisory Panel reviewed your Qualifying Diagnosis and determined your Claim Package is missing these documents.

The Diagnosing Physician references a neuropsychological evaluation performed by Dr. REDACTED on REDACTED showing Level 1.5 impairment in complex attention and visual perception. The original report by Dr. REDACTED should also be provided to evaluate the degree of impairment in each domain as well as its consistency with the criteria outlined in Appendix A-1 to the Settlement Agreement. Level 1.5 Neurocognitive Impairment also requires functional impairment to be corroborated by documentary evidence (e.g. medical records, employment records), or if documentary evidence is unavailable, then functional impairment must be corroborated by a third-party sworn affidavit from a person familiar with the patient's condition (other than the player or his family members).

III. HOW TO RESPOND TO THIS NOTICE

By the Cure Deadline stated above, send us the missing information identified in Section II. If you do not respond in full on or before the Cure Deadline, we will have to assess your claim based on the materials we have, which could lead to a lower Monetary Award or denial of your claim in its entirety.

You have 120 days to respond to this Notice and provide the missing information. We will wait the full 120 days to re-review your claim, unless you click the Submit Claim Package for Review button to confirm that your response is complete and we may continue to review your claim.

Submit the requested information using your secure online portal to upload additional documents.

IV. HOW TO CONTACT US WITH QUESTIONS OR FOR HELP

If you are represented by a lawyer, consult with your lawyer if you have questions or need assistance. If you are unrepresented and have any questions about this Notice or need help, contact us at 1-855-887-3485 or send an email to ClaimsAdministrator@NFLConcussionSettlement.com. If you are a lawyer, call or email your designated Firm Contact for assistance. For more information about the Settlement program, visit the official website at www.NFLConcussionSettlement.com to read the Frequently Asked Questions or download a copy of the complete Settlement Agreement.



EXHIBIT B-1

[Home](#)[Information](#)[Registration](#)[Claim Package](#)[Notices](#)[BAP](#)[MAF Physician List](#)[My Account](#) | [Log Off](#)[<< Back](#)

Claim Package Page

Settlement Class Member Information

Settlement Program ID: 100005676

Name: REDACTED

Address: REDACTED

Claim Package Status: Claim Package Submitted

Settlement Class Member Type: Retired NFL Football Player

[View Documents](#)[Upload](#)

View Documents

Doc ID	Document Type	File Name	Create Date	
123047	Notice of Claim Package Deficiency	100005676_118595.pdf	09/05/2017	
84027	Notice of Preliminary Review for Level 1.5 and 2 Claims	100005676_81663.pdf	06/28/2017	
61548	Medical Records	REDACTED - neuropsychological evaluation_61548.pdf	04/21/2017	Remove
61547	Medical Records	REDACTED - neurological evaluation_61547.pdf	04/21/2017	Remove
61546	Diagnosing Physician Certification Form	REDACTED - diagnosing physician certification_61546.pdf	04/21/2017	
60561	HIPAA Form	REDACTED - signed hipaa_60561.pdf	04/19/2017	
60559	Claim Form	claimform_59603.pdf	04/19/2017	
60558	Signature Acknowledgement Form	REDACTED - signed signature acknowledgment form_60558.pdf	04/19/2017	
42121	Notice of Registration Determination	100005676_41804.pdf	03/23/2017	
15262	Notice of Attorney Representation	noticeofattorneyrepresentation_15245.pdf	02/13/2017	
13252	Registration Form	registrationform_13235.pdf	02/10/2017	

EXHIBIT C



CONCUSSION SETTLEMENT

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.)

NOTICE OF CLAIM PACKAGE DEFICIENCY

DATE OF NOTICE: **September 1, 2017**

CURE DEADLINE: **January 2, 2018**

I. SETTLEMENT CLASS MEMBER INFORMATION

Settlement Program ID	100002552		
Name:	First REDACTED	M.I.	Last REDACTED
Settlement Class Member Type	Retired NFL Football Player		
Primary Counsel	Top NFL Lawyers		

II. EXPLANATION OF DEFICIENCY(IES)

This Notice is an official communication from the Claims Administrator for the NFL Concussion Settlement Program. Your Claim Package is missing documents or information required by Section 8.2(a) of the Settlement Agreement.

This Notice explains what is missing and what you may do to address the issue. We can help if you have questions. To cure the issues identified in this Notice, click the Respond to Notice of Claim Package Deficiency button on your secure online portal and follow the instructions provided to upload the information identified below. If you already have provided us with the missing information, let us know because we may have received it after conducting the review that generated this notice.

The following requires attention before we can act further:

	What is Missing	How to Address this Item
1.	The Appeals Advisory Panel reviewed your Qualifying Diagnosis and determined your Claim Package is missing these documents.	Diagnosis of Level 1.5 Neurocognitive Impairment requires additional information from Neuropsychological testing to support degree of impairment (as further detailed in Appendix B). The current qualifying diagnosis document describes only the summary conclusion of neuropsychological testing without providing the scores on subtests for assessment. Some discussion of the timing of his cognitive impairment relative to the initiation of his multiple medications with potential cognitive side effects would be helpful, as well as discussion of the possible impact of his severe depression on cognitive performance and functional decline.

III. HOW TO RESPOND TO THIS NOTICE

By the Cure Deadline stated above, send us the missing information identified in Section II. If you do not respond in full on or before the Cure Deadline, we will have to assess your claim based on the materials we have, which could lead to a lower Monetary Award or denial of your claim in its entirety.



You have 120 days to respond to this Notice and provide the missing information. We will wait the full 120 days to re-review your claim, unless you click the Submit Claim Package for Review button to confirm that your response is complete and we may continue to review your claim.

Submit the requested information using your secure online portal to upload additional documents.

IV. HOW TO CONTACT US WITH QUESTIONS OR FOR HELP

If you are represented by a lawyer, consult with your lawyer if you have questions or need assistance. If you are unrepresented and have any questions about this Notice or need help, contact us at 1-855-887-3485 or send an email to ClaimsAdministrator@NFLConcussionSettlement.com. If you are a lawyer, call or email your designated Firm Contact for assistance. For more information about the Settlement program, visit the official website at www.NFLConcussionSettlement.com to read the Frequently Asked Questions or download a copy of the complete Settlement Agreement.



EXHIBIT C-1

NFL CONCUSSION SETTLEMENT

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.)

[Home](#)[Information](#)[Registration](#)[Claim Package](#)[Notices](#)[BAP](#)[MAF Physician List](#)[My Account](#) | [Log Off](#)[<< Back](#)

Claim Package Page

Settlement Class Member Information

Settlement Program ID: 100002552**Name:** REDACTED**Address:**
REDACTED**Claim Package Status:** Claim Package Submitted**Settlement Class Member Type:** Retired NFL Football Player[View Documents](#)[Upload](#)

View Documents

Doc ID	Document Type	File Name	Create Date	
122953	Notice of Claim Package Deficiency	100002552_118503.pdf	09/01/2017	
63640	Other	affidavit of REDACTED in re REDACTED _63640.pdf	04/27/2017	Remove
63638	Medical Records	REDACTED - neurops ychological evaluation_63638.pdf	04/27/2017	Remove
63637	Medical Records	REDACTED - neurolo gical evaluation_63637.pdf	04/27/2017	Remove
63636	Diagnosing Physician Certification Form	REDACTED - diagnos ing physician certification_63636.pdf	04/27/2017	
60564	HIPAA Form	REDACTED - signed hipaa_60564.pdf	04/19/2017	
60563	Claim Form	claimform_59607.pdf	04/19/2017	
60562	Signature Acknowledgement Form	REDACTED - signed signature acknowledgment form_60562.pdf	04/19/2017	

EXHIBIT D

Anoush Hakimi

From: Nicole Priest <npriest@browngreer.com>
Sent: Wednesday, July 5, 2017 8:45 AM
To: Jason Russell; Anoush Hakimi
Cc: Peter Shahriari
Subject: RE: A Couple of Questions

Hello Anoush,

In reference to your questions below:

1. It is not intended that a Class Member obtains an affidavit now for a previously made Qualifying Diagnosis.
2. Correct.

Please let me know if you have any questions.

-Nicole

From: Jason Russell
Sent: Monday, July 03, 2017 4:04 PM
To: Anoush Hakimi <anoush@topnflawyer.com>
Cc: Peter Shahriari <peter@topnflawyer.com>; Nicole Priest <npriest@browngreer.com>
Subject: RE: A Couple of Questions

Thanks, Anoush. I ran out of time on researching this one, but sent it up to the review team for confirmation. Nicole will follow up as soon as we hear back.

Best,
Jason

From: Anoush Hakimi [<mailto:anoush@topnflawyer.com>]
Sent: Friday, June 30, 2017 3:47 PM
To: Jason Russell <jrussell@browngreer.com>
Cc: Peter Shahriari <peter@topnflawyer.com>
Subject: A Couple of Questions

Hi Jason, per our call today, here are the questions that we have:

1. The updated deficiency notices state that a player may submit a sworn statement to corroborate functional impairment to cure the deficiency. Specifically, under the "How to Address this Item" column the notices state "If you need to submit a third-party sworn affidavit from a person familiar with the Retired NFL Football Player's condition, go to <https://www.nflconcussionsettlement.com/Forms.aspx> to download a copy of this affidavit." The plain meaning of this sentence is that a Retired NFL Player who was diagnosed **prior to the Effective Date** can now have a witness complete the sworn statement form that is presently available on the official claims administration website, and use that sworn statement to corroborate his functional impairment, which will cure the deficiency notice. Is that correct?

2. Please confirm the following timelines for Pre-Effective Date Claims:

- a. 45 days from submission of Claim Package to determine if there are any deficiencies in documents provided (Section 8.4);
- b. 45 days after a complete Claim Package is delivered to a member of the Advisory Appeals Panel for review, for the member of the AAP to determine (Section 6.4(b)(i));

The above seems to imply that it would take 90 days to get to the point that a member of the AAP has completed review of a submitted Claim Package. Is that correct?

- c. Assuming that the member of the AAP confirms the Qualifying Diagnosis, the Claims Administrator then has 60 days to make a monetary award determination (Section 9.1 (b)). Is that correct?
- d. If all of the above is correct, there is a 150 day window from Claim Package submission to Monetary Award Determination. Is that correct?

I understand that you will be leaving for one month starting July 4. If we cannot get responses to the above questions prior to your departure, please forward to your successor and put us in contact with your successor regarding these topics.

Thank you so much for your guidance thus far.

Please feel free to contact me with any questions.

Best,

Anoush Hakimi, Esq.

TOP NFL LAWYERS

www.topnfllawyer.com

1420 S. Figueroa Street, Suite 107
Los Angeles, California 90015

o: (888) NFL – 2250

f: (213) 402 – 2170

m: (310) 738 – 2166

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC §§ 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited. Note: No attorney-client relationship is formed until the parties have signed an attorney-client agreement. Attorneys do not provide any tax advice. Please consult your tax professional.